



ELDH European Association of Lawyers for Democracy & World Human Rights

WITH LAWYERS
IN 21 COUNTRIES

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt
EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo
EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

Equality Privacy Social Rights
No Racism Peace No Torture No War
Self-Determination of Peoples Democracy
Human Rights Rights of Migrants

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ELDH's deep concern at "Catalangate", illegal surveillance of Catalans.

ELDH, the European Lawyers for Democracy and Human Rights, with individual and organisational members in 22 European countries, is alarmed at the fact that in recent years there have been serious violations of civil liberties and human rights through the use of sophisticated mercenary spyware, notably PEGASUS, a program developed by the Israeli cyber arms company NSO Group. This is made available exclusively to governments and their agencies. It has been used to hack mobile phones and to monitor the activities of political dissidents and activists, for example members of EHBildu in the Basque Country.

ELDH notes with great concern the extensive illegal surveillance of Catalan pro-independence activists, politicians, elected government officials, journalists and lawyers exposed by Citizenlab, (University of Toronto). Their research team has named this **CatalanGate**. Their report is [here](#). Their investigation has been independently verified by technical experts from Amnesty International's Security Lab, [here](#). It is by far the largest case of illegal politically motivated spying/surveillance carried out in a European democracy.

At least 63 Catalans were targeted, among whom were:

- *5 current Members of the European Parliament (from two Catalan political parties),
- *Members of the Catalan Parliament, including 12 members from the Republican Left of Catalonia (ERC), 11 from Together for Catalonia (Junts) and 4 from the Popular Unity (CUP) parties.
- * the current President of Catalonia Pere Aragonés was under surveillance while he was serving as VP (ERC), as were President Carles Puigdemont (Junts) and 2 other former presidents.
- *Amongst other leading political figures, the Speaker of the Parliament, Laura Borràs (Junts) has been monitored.

ELDH European Association of Lawyers for Democracy & World Human Rights
Co-President: Professor Bill Bowring, London | E-Mail: bill.bowring@eldh.eu | Phone +44 (0)781 048 34 39
Co-President: Barbara Spinelli, lawyer, Bologna | -E-Mail avv.barbaraspinelli@gmail.com | Phone +39 051 4116817
Présidente d'honneur: Professeure Monique Chemillier-Gendreau, Paris
Co-Secretary General: Thomas Schmidt (lawyer), Düsseldorf | E-Mail: thomas.schmidt@eldh.eu | Phone +49 (0)172 68 10 888
Co-Secretary General: Serife Ceren Uysal (lawyer), Vienna | E-Mail: serifecerenuysal@gmail.com | Phone +43 664 4853347
Postal address: ELDH | Thomas Schmidt | Platanenstrasse 13 | D – 40233 Düsseldorf (Germany)
Website: www.eldh.eu

*Cases were first reported in 2020 by **The Guardian** involving the former Speaker (President) of the Catalan Parliament and currently Minister of Business and Labour, Roger Torrent (ERC) and the leader of the ERC group at Barcelona city council, Ernest Maragall (brother of former socialist mayor Pasqual Maragall).

*Lawyers, journalists, members of civil society organisations and several family members were also hacked

*Catalan politicians have been under surveillance outside Spain including ERC leader Marta Rovira and former CUP parliamentarian Anna Gabriel in exile in Switzerland and Meritxell Serret, the representative of the Catalan government to the EU, based in Brussels.

ELDH notes that the Citizenlab forensics software has been particularly successful at identifying Pegasus spyware in iPhones as opposed to other mobile phone systems, implying that the total number of hacked/infected Catalans may well be much greater than the 63 cases confirmed.

Revelation of this illegal spying comes after heavy and unacceptable prison sentences were handed down to the leaders of the two pro-independence civil society mass movements Omnium Cultural and Assemblea Nacional de Catalunya (ANC) as well as members of the Catalan government which organized the 2017 referendum on Catalan independence, a referendum which was considered unlawful by the Spanish state. These harsh and unjustified sentences were criticized by **ELDH**, which argued against the judicialization of the political process and called for dialogue as the way forward in the framework of a complex political crisis.

The Citizenlab report points out that according to the NSO Group, Pegasus is sold exclusively to governments and while not formally stating that the Spanish government was involved in the spying, “circumstantial evidence suggests a strong nexus with the government of Spain, including the nature of the victims and targets, the timing, and the fact that Spain is reported to be a government client of the NSO Group”.

ELDH joins [Amnesty International](#) in

- Demanding that the Spanish government must come clean over whether or not it is a customer of NSO Group. It must also conduct a thorough, independent investigation into the alleged use of Pegasus spyware against the Catalans identified in this investigation.
- Urging the European Parliament Committee of Inquiry investigating the use of Pegasus and other spyware, [launched](#) on 19 April 2022, to leave no stone unturned when documenting the human rights violations enabled by unlawful spyware, including by investigating these new revelations.
- Declaring that Governments have not done enough to investigate or stop human rights violations caused by invasive spyware like Pegasus. The use, sale and transfer of this surveillance technology must be temporarily halted to prevent further abuses of human rights.